

A.G. Contract No.: KR98 2517TRN  
ADOT ECS File: JPA 98-199-**Amendment 5**  
Project No.: INDRES-NIR-0(006)  
TRACS No: **H5167 17X / FY 2003**  
Section: Reservation Roadway Maintenance  
**BUDGET SOURCE ITEM #: N/A**

**AMENDMENT NO. FIVE (5)**

**INTERGOVERNMENTAL AGREEMENT**  
BETWEEN  
THE STATE OF ARIZONA  
AND  
COCONINO COUNTY, ARIZONA

THIS AGREEMENT, entered into 04 December 2003, **Amendment Number 5 to JPA 98-199**, AG Contract No.: KR98 2517TRN, filed 29 February, 1999, with the Secretary of State under No. 23003, is pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION acting by and through its TRANSPORTATION PLANNING DIVISION (the "State") and the COCONINO COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the "County").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

The State program manager has approved the distribution of additional funds for federal fiscal year (FY) 2003, in the amount of \$107,298.00 are programmed and approved for distribution to the County, to conduct roadway maintenance for roadways, within, adjacent to, or provide access to Indian Reservations.

**THEREFORE, Agreement JPA 98-199, is AMENDED by the parties and agreed to herein as follows:**

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NO. 23003 #05  
Filed with the Secretary of State  
Date Filed: 12/04/03

Janice K. Brewer  
Secretary of State

By: Vincent D. Greenwald

**II. SCOPE OF WORK**

1. The State will:

**Article II.1 a. shall be replaced as follows:**

a. Provide the Count federal funds in the amount of \$107,298.00 for FY 2003 for maintenance to be performed on Indian reservation roadways, as defined in Exhibit A, attached hereto and made a part hereof.

All other terms and conditions of the original Agreement remains in full force and effect.

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IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**COCONINO COUNTY, ARIZONA**

**STATE OF ARIZONA**

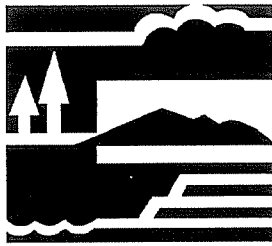
Department of Transportation

By   
MATTHEW G. RYAN  
Chairman of the Board

By   
DALE BUSKIRK, Director  
Transportation Planning Division


ATTEST

By   
STEVE PERU  
Clerk of the Board



**COCONINO COUNTY  
STATE OF ARIZONA**

I, Sherry J. Cornforth, Deputy Clerk of the Coconino County Board of Supervisors, do hereby certify that the attached is a true and correct copy of the minutes for the Board of Supervisors Regular Meeting held on October 21, 2003, and approved by the Board of Supervisors at a Regular meeting on November 4, 2003.

  
\_\_\_\_\_  
Sherry J. Cornforth  
Deputy Clerk of the Board  
Coconino County Board of Supervisors

OFFICE OF THE BOARD OF SUPERVISORS  
COCONINO COUNTY, FLAGSTAFF, ARIZONA  
TUESDAY, OCTOBER 21, 2003

The Board of Supervisors met in Regular Session on Tuesday, October 21, 2003, at 6:00 pm in the Board of Supervisors Meeting Room, First Floor, Administrative Center, 219 E. Cherry Avenue, Flagstaff, Arizona.

PRESENT: Chairman Matthew G. Ryan; Supervisors Deborah Hill, Louise Yellowman, and Paul Babbitt; County Manager John E. Holmes, Chief Deputy Clerk Anna Whorton, Deputy Clerk Sherry Cornforth; and Deputy County Attorney Richard Vihel. Record will reflect the absence of Supervisor Elizabeth Archuleta.

CALL TO ORDER: the meeting was called to order at 6:00 pm by Chairman Ryan.

PLEDGE OF ALLEGIANCE: was led by Chairman Ryan.

PUBLIC PARTICIPATION: Vicky Ratzlaff expressed concerns about the formation of the proposed Lupine Improvement District.

CONSENT ITEMS: It was moved by Supervisor Babbitt, seconded by Supervisor Hill, to approve the Consent Agenda. Motion carried unanimously.

Supervisor Babbitt commented on items #8, #12, #13, #14, and #15 stating the tables outline the amount of fees being taken from local resources and being sent to State programs. Ryan said last year the legislature set a cap on how much money Counties could retrieve through fees used to off set the cost in the courts; even if business costs go the cap remains the same.

1. Board of Supervisors: Minute approval for Regular Board meeting of October 7, 2003.
2. Warrant Registers:

<u>Run Date</u>	<u>Warrant Number</u>	<u>Computer Register Total</u>
10/06/03	94005567 – 94005693	\$85,455.85
10/09/03	94005703 – 94005978	\$458,472.08
10/14/03	94005982 – 94006113	\$306,221.61
10/16/03	94006116 – 94006367	\$1,943,772.88
10/20/03	94006370 – 94006522	\$233,082.54
<u>Run Date</u>	<u>Warrant Number</u>	<u>Manual Register Total</u>
10/06/03	94005563	\$425.25
10/14/03	94005979	\$4,139.91

An itemized list of the above numbered claims is filed in the official record of the Coconino County Board of Supervisors.

3. Community Initiatives Funding request from District 1 in the amount of \$100; District 2 in the amount of \$100; District 3 in the amount of \$100; District 4 in the amount of \$100; District 5 in the amount of \$100 (for a total amount of \$500) to Coconino county Human Resources for the Northern Arizona Disability Conference to provide citizens and employers educational, accurate and current information about the Americans with Disabilities Act (ADA).

\$39,810.00	\$53,344.00	\$13,534.00	\$10,151.50	\$7,050.92
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13. Certify to the Arizona State Treasurer that the following, FY04 first quarter revenue exceeds the FY03 first quarter baseline court collections for the Flagstaff Justice Court, pursuant to A.R.S. § 12-116.04B, effective retroactively to October 15, 2003.

1 <sup>st</sup> Quarter FY03 Baseline	1 <sup>st</sup> Quarter FY04 Revenue	Difference	75% State Remittance	Adjusted 75% State Remittance
\$299,088.00	\$303,493.00	\$4,405.00	\$3,303.68	\$3,059.73

14. Certify to the Arizona State Treasurer that the following, FY04 first quarter revenue exceeds the FY03 first quarter baseline court collections for the Page Justice Court, pursuant to A.R.S. § 12-116.04B, effective retroactively to October 15, 2003.

1 <sup>st</sup> Quarter FY03 Baseline	1 <sup>st</sup> Quarter FY04 Revenue	Difference	75% State Remittance	Adjusted 75% State Remittance
\$90,835.00	\$85,315.00	(\$5,520.00)	\$0.00	\$0.00

15. Certify to the Arizona State Treasurer that the following, FY04 first quarter revenue exceeds the FY03 first quarter baseline court collections for the Williams Justice Court, pursuant to A.R.S. § 12-116.04B, effective retroactively to October 15, 2003.

1 <sup>st</sup> Quarter FY03 Baseline	1 <sup>st</sup> Quarter FY04 Revenue	Difference	75% State Remittance	Adjusted 75% State Remittance
\$101,587.00	\$147,500.28	\$45,913.34	\$34,435.01	\$30,952.95

16. Elections: Approve a Memorandum of Understanding (MOU) between the Coconino County Elections Office and the Coconino County Superintendent of Schools for the conduct of special school district elections and general school district elections.
17. Health Services: Approve Intergovernmental Agreement No. HG361074, Amendment #1 between the Coconino County Department of Health Services and the Arizona Department of Health Services by which CCDHS provides Women, Infants, and Children (WIC) Nutrition Services in the amount of \$528,600 for the period October 1, 2003 to September 30, 2004.
18. Public Works: Approve Amendment No. Five to the Intergovernmental Agreement between Coconino County and the State of Arizona, Department of Transportation, providing the County federal funds for maintenance of roadways within, adjacent to, or providing access to Indian reservations in the amount of \$107,298 for fiscal year 2003.
19. Approve an Inter-Governmental Agreement between Coconino County and the Arizona Division of Emergency Management (ADEM) for the Department of Homeland Security (DHS), Office of Domestic Preparedness (ODP) Reimbursement Grant Program (CFDA 16.007) for all fiscal years and related federally funded supplemental terrorism grant programs.
20. Approve the Arizona Emergency Management Master Mutual Aid Agreement to establish protocols for inter-county aid during emergencies.

has been raised and portions of the enterprise zone have been lost, however, the boundaries have been extended by submitting areas previously not within the enterprise zone. Gonzales said a committee in the Arizona Department of Commerce oversees the applications.

Greater Flagstaff Economic Council President Stephanie McKinney said there are two components of the enterprise zone of which a company can take advantage. One is tax credits based on the number of jobs a company creates up to \$3,000 per full time job that pays better than 110% of the County median average and at least 50% of the fringe benefits paid by the employer. The second is based on the amount of capital investment a company makes for partial property tax abatement up to a five year period of time.

It was moved by Supervisor Babbitt, seconded by Supervisor Yellowman, to approve Resolution 2003 – 68, an application to the State of Arizona for renewal of Enterprise Zone Status for Coconino County and authorize the County Manager, serving as the Enterprise Zone Administrator, to sign the renewal application. Motion carried unanimously.

It was moved by Supervisor Hill, seconded by Supervisor Yellowman, to approve the Intergovernmental Agreement with the City of Flagstaff for implementation of the Enterprise Zone. Motion carried unanimously.

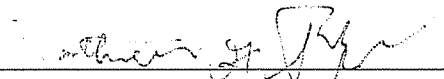
Award RFP 2003-112 and approve the contract for County animal shelter and pound services with the Coconino County Humane Association, Incorporated in an annual amount of \$132,000.

Health Services Director Barbara Worgess stated the County and the City have worked together on a joint RFP to request animal shelter services; although each will have a separate contract for these services. The contract will include increased wages, a new administrative assistant, and future equipment improvements to upgrade the facility. The contract is renewable annually for five years ending June 30, 2008 to allow annual adjustments based on the Consumer Price Index.

It was moved by Supervisor Hill, seconded by Supervisor Yellowman, to approve RFP 2003 – 112 for County animal shelter and pound services with the Coconino County Humane Association, Incorporated for \$132,000. Motion carried unanimously.

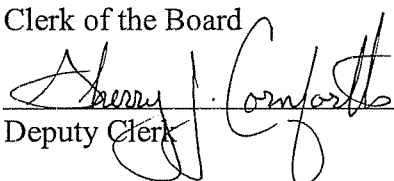
There being no further business, the meeting adjourned at 7:01 pm.

COCONINO COUNTY BOARD OF SUPERVISORS

  
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Matthew G. Ryan, Chairman

ATTEST:

Clerk of the Board

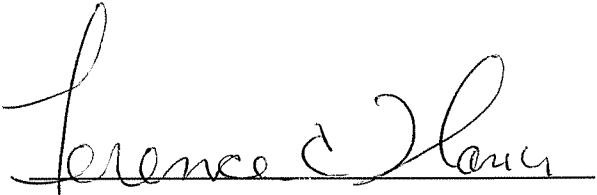
  
\_\_\_\_\_  
Deputy Clerk

APPROVAL OF THE COCONINO COUNTY ATTORNEY

I have reviewed the above referenced proposed Amendment to the intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and COCONINO COUNTY and declare the Amendment to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement

DATED this 14 day of <sup>October</sup>~~September~~, 2003  
21

  
County Attorney



TERRY GODDARD  
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

TRANSPORTATION SECTION  
WRITER'S DIRECT NO: 602.542.8837

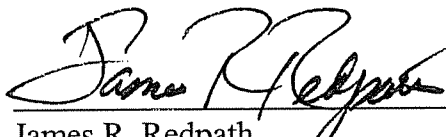
**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR98-2517-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

Date: 25 November 2003

Terry Goddard  
ATTORNEY GENERAL

  
James R. Redpath  
Assistant Attorney General  
Transportation Section

JRR:djd:780214